

## AN ACT

ENTITLED, An Act to provide for the recovery of certain expenses in an action brought to court by any governmental subdivision relative to the assessment of property.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 10-11 be amended by adding thereto a NEW SECTION to read as follows:

The circuit court may award disbursements, including reasonable attorneys' fees, in an action brought to circuit court pursuant to chapter 10-11 by any appellant relative to the assessment of property, if the appellant does not prevail in its appeal of the property assessment.

Section 2. That chapter 10-11 be amended by adding thereto a NEW SECTION to read as follows:

On motion, the Supreme Court may award reasonable attorneys' fees in an action brought to the Supreme Court pursuant to chapter 10-11 against any appellant relative to the assessment of property, if the appellant does not prevail in its appeal of the property assessment. The motion shall be accompanied by counsel's verified itemized statement of costs incurred and legal services rendered.

Section 3. That chapter 10-38 be amended by adding thereto a NEW SECTION to read as follows:

The sixth judicial circuit court may award reasonable attorneys' fees, in an action brought to court pursuant to chapter 10-38 against any appellant relative to the assessment, allocation, equalization, or distribution of property if the appellant does not prevail in its appeal of the property assessment, allocation, equalization, or distribution.

Section 4. That chapter 10-38 be amended by adding thereto a NEW SECTION to read as follows:

On motion, the Supreme Court may award reasonable attorneys' fees in an action brought to the Supreme Court pursuant to chapter 10-38 against any appellant relative to the assessment, allocation,

equalization, or distribution of property if the appellant does not prevail in its appeal of the property assessment, allocation, equalization, or distribution. The motion shall be accompanied by counsel's verified itemized statement of costs incurred and legal services rendered. No award for attorneys' fees may be made for or against the State of South Dakota in the Supreme Court.

An Act to provide for the recovery of certain expenses in an action brought to court by any governmental subdivision relative to the assessment of property.

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I certify that the attached Act  
originated in the

HOUSE as Bill No. 1003

\_\_\_\_\_  
Chief Clerk

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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1003  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

19\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 19\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_, 19\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State